

Docket No. <u>1776-4054</u> Express Mail No. EF098983725US

↑AFFIX CUSTOMER NO. LABEL ABOVE ↑



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL PURSUANT TO 37 C.F.R. § 1.53(d)

Commissioner for Patents Washington, DC 20231

Prior Application

Examiner: V. CHEN

Group Art Unit:

1773

Inventor(s) Names and Addresses:

(1) Koji NAKATA / 940 Shinzaike, Aboshi-ku, Himeji-shi Hyogo-ken, 671-1234 JAPAN RECEIVED

MAY 3 0 2002

(2) Masahiro ISHIKAWA 323 Shinmatsudodominami 1-cho. Matsudo-shi. Chiba-ken. 270-0035 TC 1700

Additional inventors listed on a separate sheet.

This is a request for a ☐ Continuation ☐ Divisional Under 37 C.F.R. §1.53(d) of prior application serial no. 09/485.002, filed on 01/31/00, and entitled:

BIODEGRADABLE POLYESTER RESIN COMPOSITION. BIODISINTEGRABLE RESIN COMPOSITION. AND MOLDED OBJECTS OF THESE

The following are enclosed herewith:

☑ Preliminary Amendment
 ☐ Information Disclosure Statement including PTO 1449.
 ☐ Copies of References Cited in Information Disclosure Statement

| REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35) As indicated on the anached Request and Certification, Applicants) certify that the invention disclosed in the attached application IEAS OOT and WILLSOOT be the subject of an application iffled in another country, or under a multifulateral agreement, that requires publication at eighteen mounts after fling. Applicantis therefore requestes that the attached application are eighteen mounts after fling. Applicants therefore requestes that the attached application is published under 35 U.S.C. §122(b) 3. Please enter the Amendment/Request For Reconsideration After Final Rejection filed in the above-identified parent application. 4. A Petition for Extension of Time and Fee therefor has been or is being filed in the parent application with application at a time while the parent application is pending or at a time when the petition for extension of time in that application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending and has been granted a filing date, so as to make this application co-pending with said parent application. Please use all the contents of the parent application ifle wrapper, including the drawings, as the basic papers for the new application. 6. The fees to be charged are to be based on the number of claims: a. Tremaining after entering the enclosed Amendment. b. entered in the parent application as of the date of its abandonment. c. meaning after entering the Amendment After Final Rejection filed in the above-identified parent application. Final Rejection filed Independent Claims | | | | | | | | | |
|--|---|---|---------|--------------------|---|---------|-----------|--|--|
| disclosed in the attached application in filed in another country, or under a multifactal agreement, that requires publication at cuplificent months after filing. Applicatus is therefore requestres that the attached application NO1 be published under 351 SC 8122b) 3. □ Please enter the Amendment/Request For Reconsideration After Final Rejection filled in the above-identified parent application. 4. □ A Petition for Extension of Time and Fee therefor has been or is being filed in the parent application Serial No to extend the time for action in the parent application until 5. Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is pending and while this application is pending and has been granted a filing date. so as to make this application co-pending with said parent application. Please use all the contents of the parent application file wrapper, including the drawings, as the basic papers for the new application. 6. ☑ The fees to be charged are to be based on the number of claims: a. ☑ remaining after entering the enclosed Amendment. b. ☐ entered in the parent application as of the date of its abandonment. c. ☐ remaining after entering the Amendment After Final Rejection filed in the above-identified parent application. 1. CALCULATION OF APPLICATION FEE Number Filed Number Extra Rate S740.00 1. CALCULATION OF APPLICATION FEE Number Filed Number Extra Rate S740.00 1. CALCULATION S APPLICATION FEE Number Filed Number Extra Rate S740.00 2. □ Small entity status is/has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$ 8. ☑ A cheek in the amount of \$740.00 in payment of the CPA application filing fees is attached. | | REQUEST AND CERTIFICATION UNDER 35 U.S.C. \$122(b)(2)(B)(i) (form PTO/SB/35) | | | | | | | |
| filed in the above-identified patch application. A Petition for Extension of Time and Fee therefor has been or is being filed in the parent application Serial No to extend the time for action in the parent application until Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending and has been granted a filing date, so as to make this application eo-pending with said parent application. Please use all the contents of the parent application file wrapper, including the drawings, as the basic papers for the new application. 6. ✓ The fees to be charged are to be based on the number of claims: a. ✓ remaining after entering the enclosed Amendment. b. ◯ remaining after entering the Amendment After Final Rejection filed in the above-identified parent application. 1. CALCULATION OF APPLICATION FEE Number Filed Number Extra Rate Basic Fee \$740.00 Total Claims 5-20 = 0x \$18.00 \$5.00 Independent Claims 1-3 = 0x \$84.00 \$5.00 Multiple Dependent Claims If marked, add fee of \$280.00 (\$140.00) \$5.000 OTAL: \$740.00 Small entity status is/has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$ 8. ✓ A cheek in the amount of \$740.00 in payment of the CPA application filing fees is attached. | | As indicated on the attached Request and Certification. Applicant(s) certify that the utched of indicated in the attached application ITAN SOL and WILL NOLD be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at circliner mouths after filing. Applicants of therefore requestes that the attached application NOLD be published under \$3.5 (S. C. El 2016). | | | | | | | |
| parent application serial No | 3. | Please enter the Amendment/Request For Reconsideration After Final Rejection filed in the above-identified parent application. | | | | | | | |
| pending or at a time when the pertnoin of extraction of the contents of the parent application is pending and has been granted a filing date, so as to make this application eo-pending with said parent application. Please use all the contents of the parent application file wrapper, including the drawings, as the basic papers for the new application. 6. ✓ The fees to be charged are to be based on the number of claims: a. ✓ remaining after entering the enclosed Amendment. b. │ cherced in the parent application as of the date of its abandonment. c. │ remaining after entering the Amendment After Final Rejection filed in the above-identified parent application. 1. CALCULATION OF APPLICATION FEE Number Filed Number Extra Rate S740.00 | 4. | parent application Serial No to extend the time for datasets application until | | | | | | | |
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| a. | The fees to be charged are to be based on the number of claims: | | | | | | | | |
| Number Filed Number Extra Rate \$740.00 Total Claims 5-20 = 0x \$18.00 \$0.00 Independent Claims 1-3 = 0x \$84.00 \$0.00 Multiple Dependent Claims If marked, add fee of \$280.00 (\$140.00) \$0.00 TOTAL: \$740.00 7. □ Small entity status is/has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$ 8. ☑ A cheek in the amount of \$740.00 in payment of the CPA application filing fees is attached. | a. remaining after entering the enclosed Amendment. b. entered in the parent application as of the date of its abandonment. | | | | | | | | |
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| Total Claims 1-3 = 0x \$84.00 \$0.00 | 1 | I. CALCOI | | | | Rate | | | |
| Independent Claims 1- 3 = 0x \$84.00 \$ 0.00 Multiple Dependent Claims If marked, add fee of \$280.00 (\$140.00) \$ 0.00 TOTAL: \$ 740.00 7. □ Small entity status is/has been elaimed. Reduced fees under 37 C.F.R. \$1.9 (f) paid herewith \$ 8. ☑ A cheek in the amount of \$740.00 in payment of the CPA application filing fees is attached. 9. ☑ Character to Deposit Account No. 13-4503. Order No A DUPLICATE. | | - 1 Chi- | | 5- 20 = | 0x | \$18.00 | \$ 0.00 | | |
| Multiple Dependent Claims If marked, add fee of \$280.00 (\$140.00) TOTAL: \$ 740.00 7. Small entity status is/has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$ 8. A cheek in the amount of \$740.00 in payment of the CPA application filing fees is attached. | | | | 1- 3 = | 0x | \$84.00 | \$ 0.00 | | |
| 7. Small entity status is/has been elaimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$ 8. A check in the amount of \$740.00 in payment of the CPA application filing fees is attached. | | | | | If marked, add fee of \$280,00 (\$140.00) | | \$ 0.00 | | |
| paid herewith \$ 8. ✓ A cheek in the amount of \$740.00 in payment of the CPA application filing fees is attached. 2. ✓ Glypper fee to Deposit Account No. 13-4503. Order No A DUPLICATE | | Multiple Dependent Claims | | | | | \$ 740,00 | | |
| | | | | | | | | | |

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- 10.

 The Commissioner is hereby authorized to charge any additional fees which may be required for filling this application pursuant to 37 CTR §1.16, including all extension of time fees pursuant to 37 CTR. § 1.17 for maintaining copendency with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1776-4054. A DUPLICATE COPY OF THIS SHEET IS ATT ACTIED.
- 11. Priority of the following applications is claimed under 35 U.S.C.§119.

| Serial Number | Country | Date |
|---------------|---------|------------|
| 165932/1998 | Japan | 30-May-98 |
| 176646/1998 | Japan | 09-Jun-98 |
| 176647/1998 | Japan | 09-Jun-98 |
| 176648/1998 | Japan | 09-Jun-98 |
| 199718/1998 | Japan | 3()-Jun-98 |
| 251676/1998 | Japan | 04-Sept-98 |
| 278909/1998 | Japan | 30-Sept-98 |
| 314490/1998 | Japan | 05-Nov-98 |
| 1845/1999 | Japan | ()7-Jan-99 |
| 26779/1999 | Japan | 03-Feb-99 |
| 42739/1999 | Japan | 22-Feb-99 |
| 59507/1999 | Japan | 05-Mar-99 |
| | | |

- 12. The parent application is assigned of record to <u>Daicel Chemical Industries</u>, <u>Ltd.</u>, Recorded on <u>01/31/2000</u>, at Reel <u>010635</u>, Frame <u>0904</u>.
- 13. An assignment of the invention to _____ is attached along with the Assignment Recordation Form cover sheet.
- 14. A check in the amount of \$40.00 for recording the Assignment is attached.
- 15. The Power of Attorney was filed in the parent application.
- 16. A new Power of Attorney has been executed and is attached.

Respectfully submitted. MORGAN & FINNEGAN, L.L.P.

Dated: May 23, 2002

By: Matthew K. Blackburn Registration No. 47,428

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